

ASSEMBLY BILL

No. 2496

Introduced by Assembly Member Steinberg

February 21, 2002

An act to amend Section 737 of the Welfare and Institutions Code, relating to juvenile courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2496, as introduced, Steinberg. Juvenile courts.

Existing law provides, in connection with a minor adjudged as a ward of the juvenile court, for detaining the ward prior to the execution of an order of commitment or any other disposition. Existing law requires that the court periodically review, as specified, any case in which a minor has been detained for more than 15 days, pending the execution of an order of commitment or other disposition, and inquire into the delay.

This bill would require that the minor, the minor's counsel, and a probation officer personally appear before the court during each periodic review of the minor's detention.

By imposing additional duties on local employees, this bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature that a minor
2 who has been adjudged a ward of the juvenile court, and has been
3 committed or otherwise disposed of as provided in Chapter 2
4 (commencing with Section 200) of Part 1 of Division 2 of the
5 Welfare and Institutions Code, shall be placed as expeditiously as
6 possible.

7 SEC. 2. Section 737 of the Welfare and Institutions Code is
8 amended to read:

9 737. (a) Whenever a person has been adjudged a ward of the
10 juvenile court and has been committed or otherwise disposed of as
11 provided in this chapter for the care of wards of the juvenile court,
12 the court may order that the ward be detained in the detention
13 home, or in the case of a ward of the age of 18 years or more, in
14 the county jail or otherwise as the court deems fit until the
15 execution of the order of commitment or of other disposition.

16 (b) In any case in which a minor is detained for more than 15
17 days pending the execution of the order of commitment or of any
18 other disposition, the court shall periodically review the case to
19 determine whether the delay is reasonable. These periodic reviews
20 shall be held at least every 15 days, commencing from the time the
21 minor was initially detained pending the execution of the order of
22 commitment or of any other disposition, and during the course of
23 each review the court shall inquire regarding the action taken by
24 the probation department to carry out its order, the reasons for the
25 delay, and the effect of the delay upon the minor. *The minor, the*
26 *minor's counsel, and a probation officer shall appear personally*
27 *before the court during each periodic review.*

28 SEC. 3. Notwithstanding Section 17610 of the Government
29 Code, if the Commission on State Mandates determines that this
30 act contains costs mandated by the state, reimbursement to local
31 agencies and school districts for those costs shall be made pursuant



1 to Part 7 (commencing with Section 17500) of Division 4 of Title
2 2 of the Government Code. If the statewide cost of the claim for
3 reimbursement does not exceed one million dollars (\$1,000,000),
4 reimbursement shall be made from the State Mandates Claims
5 Fund.

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